

1 BILL NO. S-90-05- 27

2 SPECIAL ORDINANCE NO. S- 117-90

3 AN ORDINANCE approving the awarding of
4 Reference #933 by the City of Fort
5 Wayne, Indiana, by and through its
6 Department of Purchasing and ETNA SUPPLY
7 COMPANY for the Water Maintenance &
8 Service Department.

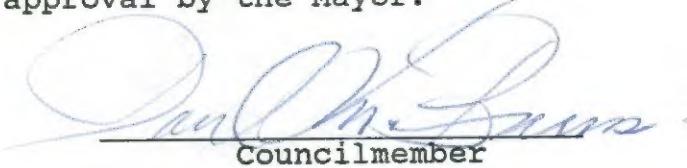
9 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
10 THE CITY OF FORT WAYNE, INDIANA;

11 SECTION 1. That Reference #933 between the City of
12 Fort Wayne, by and through its Department of Purchasing and
13 ETNA SUPPLY COMPANY for the Water Maintenance & Service
14 Department, respectfully for:

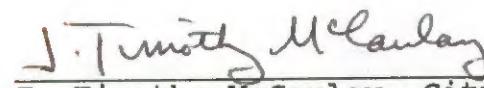
15 the purchase of copper pipe for
16 installation of new services and
17 repair/replacement of existing services
18 for the Water Maintenance & Service
19 Department;

20 involving a total cost of Seventeen Thousand Two Hundred
21 Sixty-Six and 80/100+- Dollars (\$17,266.80), all as more
22 particularly set forth in said Reference #933 which is on
23 file in the Office of the Department of Purchasing, and is
24 by reference incorporated herein, made a part hereof, and is
25 hereby in all things ratified, confirmed and approved.

26 SECTION 2. That this Ordinance shall be in full force
27 and effect from and after its passage and any and all
28 necessary approval by the Mayor.

29 
30 Councilmember

31 APPROVED AS TO FORM
32 AND LEGALITY

33 
34 J. Timothy McCaulay, City Attorney

REF. NO.: 933
DEPT.: WATER MAINTENANCE
DATE: 5/15/90
ITEM/SERV.: COPPER PIPE

PURCHASING INFORMATION

ADVERTISED BID: YES
DATES ADVERTISED: 3/16 & 3/23

OPENING DATE: 4/5/90

WRITTEN QUOTE:

DUE DATE:

VERBAL QUOTE:

SINGLE SOURCE:

NO. OF VENDORS NOTIFIED: 8

NO. OF VENDORS RECEIVING BID: 5

NO. OF VENDORS RETURNING BID: 2

NO. OF VENDORS DISQUALIFIED: 0

NO. OF VENDORS NOT RESPONDING: 6

DATE SENT TO DEPT FOR RECOMM.: 4/5/90

DATE RECOMMENDATION REC'D IN PURCH: 5/15/90

COUNCIL INFORMATION DATES SENT EXTENSION DATES

DATE INFO SENT TO LAW DEPT.: 5/15/90

INTRODUCTION DATE: 5/22/90

DISCUSSION DATE: 6/5/90

PASSAGE DATE: 6/12/90

ORDINANCE NO.:

AMOUNT APPROVED AND/OR SPENT
LAST YEAR: (IF APPLICABLE)

REFERENCE NO. 933
COPPER PIPE
W M & S

ITEM	QTY	UNIT	WAYNE PIPE	ETNA SUPPLY	E J P		
3/4 X 60 ROLLS	7620	FT	\$1.066	\$8,122.92	\$1.01	\$7,696.20	NO BID
3/4 X 100 ROLLS	2300	FT	\$1.066	\$2,451.80	\$1.01	\$2,323.00	
1 X 60 ROLLS	2400	FT	\$1.360	\$3,264.00	\$1.29	\$3,096.00	
1 X 100	1600	FT	\$1.360	\$2,176.00	\$1.29	\$2,064.00	
1 1/2 X 20 LGTHS	340	FT	\$2.567	\$872.78	\$2.44	\$829.60	
2 X 20 LGTHS	340	FT	\$3.908	\$1,328.72	\$3.70	\$1,258.00	
				\$18,216.22		\$17,266.80	

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 4-5-90 @ 11:00 AM BID REFERENCE # 933

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR TYPE K-SOFT, COPPER PIPE IN A
NUMBER OF LENGTHS AND SIZES PER SPECIFICATIONS

AND REQUESTED BY WATER MAINTENANCE & SERVICE

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: %
IF PAID WITHIN DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Etna Supply Company

STREET ADDRESS 529 32nd Street SE

CITY Grand Rapids PHONE # 241-5414

BY Roger Potgeter

REPRESENTATIVE SIGNATURE Roger Potgeter

CITY OF FORT WAYNE
COPPER PIPE
REQUIREMENTS

THE CITY OF FORT WAYNE, INDIANA, IS REQUESTING BIDS FOR THE PURCHASE OF COPPER PIPE FOR THE WATER MAINTENANCE & SERVICE DEPARTMENT.

ALL COPPER WATER SERVICE PIPE SHALL BE TYPE "K" COPPER WATER TUBE, MADE IN ACCORDANCE WITH THE LATEST REVISIONS OF ASTM SPECIFICATIONS B88 OR FEDERAL SPECIFICATIONS WW-T-799, AND SHALL HAVE THE TYPE DESIGNATION AND THE MANUFACTURERS NAME AND/OR SYMBOL STAMPED INTO THE OUTER SURFACE.

PRICES BID MUST BE EXACT AND HELD FIRM FOR 90 DAYS AFTER OPEN DATE OF BID. THERE SHALL BE NO ADDITIONAL CHARGES FOR DELIVERY, HANDLING OR ANY OTHER MISC FEES.

TERM OF AGREEMENT: MAY 1, 1990 THRU AUGUST 31, 1990

FOB: FORT WAYNE

PLEASE PRICE THE FOLLOWING COPPER PIPE-TYPE K SOFT

SIZE	QTY IN FT	UNIT COST/	TOTAL
3/4" X 60' (ROLLS)	7620	1.01'	7696.20
3/4" X 100' (ROLLS)	2300	1.01'	2323.00
1" X 60' (ROLLS)	2400	1.29'	3096.00
1" X 100' (ROLLS)	1600	1.29'	2064.00
1 1/2" X 20' (LENGTHS)	340	2.44'	829.60
2" X 20' (LENGTHS)	340	3.70'	1258.00
		TOTAL:	17,266.80

PLEASE SEND BID RESULTS. SELF-ADDRESSED ENVELOPE IS ENCLOSED.

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.3)
(Please type or print)

1. Governmental Units: City of Ft. Wayne
2. County: Allen
3. Bidder (Firm): Etna Supply Company
Address: 529 32nd Street SE
City/State: Grand Rapids, MI 49548
4. Telephone Number: 1-800-632-4576
5. Agent of Bidder (if applicable):

Pursuant to notices given, the undersigned offers bid(s) to Ft. Wayne, City (Gov-
ernmental Unit) in accordance with the following attachment(s) which specify the class or item number or
description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Roger Roberts
Signature of Blader or Agent

Signature of Blader or Agent

BID OFFER OR PROPOSAL

Following is an example of the old format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
NON-COLLUSION AFFIDAVIT					

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA

Allegheny County, Pa.

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Etna Supply Company
Block (Firm)

Agar Bolsete

Subscribed and sworn to before me this 3rd day of

My Commission Expires: 9-3-91
County of Residence: KENT

APRIL, 1990

Reiland A. Adesael
Notary Public

Notary Public

RICHARD A ANDREWS

Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members

Date:

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we

Etna Supply Company Inc.
Grand Rapids, Michigan 49548

as Principal, hereinafter call the Principal, and American Home Assurance Company
New York, New York 10270

a corporation duly organized under the laws of the State of New York
as Surety, hereinafter called the Surety, are held and firmly bound unto

City of Fort Wayne, Indiana
as Obligee, hereinafter called the Obligee, in the sum of Five Percent of amount of bid -----

----- Dollars (\$ 5%),
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind
ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these
presents.

WHEREAS, the Principal has submitted a bid for

Supply copper Tubing for Water Maintenance & Service Department

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and materials furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 5th day of April 19 90

Debra F. Vash-Wade
(Witness)

Etna Supply Company Inc.

(Principal)

(Seal)

Roger J. Osgate President

(Title)

Belva R. Frel
(Witness)

American Home Assurance Company

(Surety)

(Seal)

Robert C. Mosher

(Title)

Robert C. Mosher, Attorney-in-Fact

No. 42-B-21400

KNOW ALL MEN BY THESE PRESENTS:

That American Home Assurance Company, a New York corporation, and National Union Fire Insurance Company of Pittsburgh, Pa., a Pennsylvania corporation, does each hereby appoint

---W.W. Warner, Rodney Bliss III, William W. Warner, M.J. Long, John Bednarz,
Brett E. Harman, Robert C. Mosher: of Des Moines, Iowa---

its true and lawful Attorney(s)-in-Fact, with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa. have each executed these presents



this 15 day of August, 19 89

Frederick J. Gurba
Frederick J. Gurba, Assistant Vice President

STATE OF NEW YORK } ss.
COUNTY OF NEW YORK }

On this 15 day of August, 19 89, before me came the above named officer of American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa., to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seals of said corporations thereto by authority of his office.

Joseph B. Nozzolo
Notary Public, State of New York
No. 01-NO4652754
Qualified in Westchester County
Term Expires Jan. 31, 1990

CERTIFICATE

Excerpts of Resolutions adopted by the Boards of Directors of American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa. on May 18, 1976:

"RESOLVED, that the Chairman of the Board, the President, or any Vice President be, and hereby is, authorized to appoint Attorneys-in-Fact to represent and act for and on behalf of the Company to execute bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, and to attach thereto the corporate seal of the Company, in the transaction of its surety business;

"RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed with respect to any bond, undertaking, recognizance or other contract of indemnity or writing obligatory in the nature thereof;

"RESOLVED, that any such Attorney-in-Fact delivering a secretarial certification that the foregoing resolutions still be in effect may insert in such certification the date thereof, said date to be not later than the date of delivery thereof by such Attorney-in-Fact."

I, Maureen P. Tully, Secretary of American Home Assurance Company and of National Union Fire Insurance Company of Pittsburgh, Pa. do hereby certify that the foregoing excerpts of Resolutions adopted by the Boards of Directors of these corporations, and the Powers of Attorney issued pursuant thereto, are true and correct, and that both the Resolutions and the Powers of Attorney are in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of each corporation



this 5th day of April, 19 90

Maureen P. Tully
Maureen P. Tully, Secretary

Read the first time in full and on motion by Burns,
seconded by Edmonds, and duly adopted, read the second time by
title and referred to the Committee on City Utilities (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Conference Room 128, City-County Building,
Fort Wayne, Indiana, on 19, the 19 day
of May, at 10:00 o'clock A.M., E.S.T.

DATED: 5-22-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns,
seconded by Edmonds, and duly adopted, placed on its
passage. PASSED E.S.T. by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>7</u>			<u>2</u>
<u>BRADBURY</u>				
<u>BURNS</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>				
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 6-12-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. S-117-90
on the 12th day of June, 1990.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Barber S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 12th day of June, 1990,
at the hour of 11:45 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 22nd day of June,
1990, at the hour of 3:00 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 933 for copper pipe for Water Maintenance & Service Department. The cost reflects the lowest and most responsive of two (2) vendors.

S-90-05-27

EFFECT OF PASSAGE: For installation of new services and repair/replacement of existing services.

EFFECT OF NON-PASSAGE: Would not be able to install new services or repair existing services.

MONIES INVOLVED: Etna Supply \$17,266.80 +/-

PRICE AGREEMENT: Yes

PURCHASE ORDER:

SOURCE OF FUNDING: Water Maint 513-523-W154-4299

PRIOR APPROVAL:
(IF APPLICABLE)

DATE:

